
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

§

versus

§

CASE NO. 1:18-CR-55

§

DARRELL RAY LYNCH

§

§

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

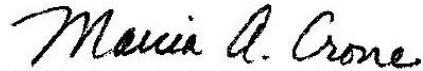
The United States Court of Appeals for the Fifth Circuit remanded this case for a determination whether the defendant's untimely notice of appeal was due to excusable neglect or good cause. Before the Court is the Report and Recommendation of United States Magistrate Judge regarding the remand order. Following an evidentiary hearing, the magistrate judge recommended that the Court find that the defendant's untimely notice of appeal was not due to excusable neglect or good cause. The parties have not filed objections to the report and recommendation.

Having conducted an independent review, the Court concludes that the defendant has not shown excusable neglect or good cause for filing an untimely notice of appeal. It is therefore

ORDERED that the Report and Recommendation of United States Magistrate Judge is **ADOPTED**. The Court finds that the defendant has not shown excusable neglect or good cause

for filing an untimely notice of appeal. The Clerk of Court is directed to transmit a copy of this order to the United States Court of Appeals for the Fifth Circuit.

SIGNED at Beaumont, Texas, this 19th day of June, 2020.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE